IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE TWENTY FOURTH DAY OF AUGUST
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MS JUSTICE G.ROHINI

WRIT PETITION NO : 14961 of 2004

Between:

A.Krishna Murthy,S/o. Subbaiah,

Aged about 48 years,
Fair Price Shop Dealer 2nd Ward,

Yerraguntla Town and Mandal,
Kadapa District.

..... PETITIONER

AND

1 The Revenue Divisional Officer, Kadapa, Kadapa District.
2 The Mandal Revenue Officer, Yerraguntla Mandal, Kadapa District .

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a writ, order or direction more particularly one in the nature of writ of mandamus declaring the action of the respondents particularly the 1st respondent in suspending the petitioner as Fair Price Shop Dealer, 2nd Ward, Yerraguntla, Kadapa District in his Ref.No.C/379/2004 dated 5.7.2004 without application of mind and without any reason or basis though the report of the 2nd respondent is explicitly false as illegal, unjust, arbitrary, extraneous and against Statutory provisions and consequently set aside the order passed by the 1st respondent in his Ref.No.C/379/2004 dated 5.7.2004.

Counsel for the Petitioner: MR.L.J.VEERA REDDY

Counsel for the Respondents: GP FOR CIVIL SUPPLIES

The Court made the following :

ORDER:

The petitioner is an authorized dealer in respect of the fair price shop of Yerraguntla Town and Mandal of Kadapa District. The 1st respondent-Revenue Divisional Officer, by proceedings dated 05-07-2004 suspended the authorization of the petitioner pending enquiry into alleged irregularities in distribution of essential commodities. Aggrieved by the same, this writ petition is filed.

Admittedly, against the impugned order of suspension, an alternative remedy is available before the Joint Collector. Since the petitioner failed to exhaust the alternative remedy available under the statute, this writ petition cannot be maintained.

Accordingly, the writ petition is disposed of, granting leave and liberty to the petitioner to work out the alternative remedy as available under law. In the event of preferring any appeal, the same be considered and appropriate orders be passed as expeditiously as possible. No costs.

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24-08-2004

vs

To

1 The Revenue Divisional Officer, Kadapa, Kadapa District.
2 The Mandal Revenue Officer, Yerraguntla Mandal, Kadapa District .

3 Two CCs to the G.P for Civil Supplies, High Court Buildings, Hyderabad(O.U.T).

4 Two CD copies.

THE HON'BLE MS JUSTICE G.ROHINI

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WRIT PETITION NO : 14961 of 2004

Dated: 24-08-2004